

Panaji, 25th March, 1982 (Chaitra 4, 1904)

SERIES I No. 52

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Notification

1/26/76-PER-(Vol. IV)

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs's Notification No. F.7(11)/62-Goa dated 25-7-1963, the Lt. Governor of Goa, Daman and Diu is pleased to make the following rules relating to recruitment to Group 'B' Non-ministerial, Non-gazetted post of Police Prosecutor in the Office of the Inspector General of Police under the Government of Goa, Daman and Diu.

1. *Short title.* — These rules may be called Government of Goa, Daman and Diu, Office of the Inspector General of Police Group 'B' Non-ministerial, Non-gazetted post of Police Prosecutor Recruitment Rules, 1982.

2. *Application.* — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. *Number, classification and scales of pay.* — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. *Method of recruitment, age limit and other qualifications.* — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

5. *Disqualification.* — No person (1) who has entered into or contracted a marriage with a person having a spouse living; or (2) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service; provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

6. *Power to relax.* — Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

7. *Saving.* — Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

8. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date.

9. These rules are issued in supersession of the recruitment rules existing for the post and with the approval of the U.P.S.C. granted vide letter No. F.3/29(6)/81-RR dated 6-2-1982.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 16th March, 1982.

SCHEDULE

Name of the Post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Whether benefit of added years of Service admissible under rule 30 of the C. C. S. (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age and Educational Qualifications prescribed for the direct recruit will apply in the case of promotees	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D. P. C. exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	(6a)	7	8	9	10	11	12	13
Police Prosecutor	*1 (1982)	General Central Service Group 'B' Non-Gazetted-Non-Ministerial.	Rs. 550-25-750-EB-30-900.	N. A.	Not exceeding 30 years (Relaxable upto 5 years for Govt. servants).	No.	<p>Essential:</p> <p>i) Degree in Law of a recognised University or equivalent.</p> <p>ii) 3 years' standing at the Bar and familiarity with criminal law and practice.</p> <p>Note: 1: Qualifications are relaxable at the discretion of the U.P.S.C. in case of candidates otherwise well qualified.</p> <p>Note 2: The qualification (s) regarding experience is/are relaxable at the discretion of the U.P.S.C. in the case of candidates belonging to scheduled castes and Scheduled Tribes if, at any stage of selection, the U.P.S.C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p> <p>Desirable:</p> <p>Knowledge of Konkani and/or Marathi.</p>	N. A.	2 years	By transfer on deputation / transfer failing which by direct recruitment.	<p>Transfer on deputation/transfer:</p> <p>Officers under the Central/State Governments and Union Territories.</p> <p>a) i) holding analogous posts; or</p> <p>ii) with 5 years' service in posts in the scale of Rs. 425-700 or equivalent, and</p> <p>(b) possessing the educational qualifications and experience laid down for direct recruits under Column 7.</p> <p>(Period of deputation shall ordinarily not exceed three years).</p>	<p>Group 'B' D.P.C. (for considering confirmation).</p> <p>1. Chief Secy. -Chairman.</p> <p>2. Administrative Secy. -Member.</p> <p>3. Head of Deptt. Member.</p> <p>Note: The Proceedings of the D. P. C. relating to confirmation shall be sent to the Commission for approval. If, however, these are not approved by the Commission a fresh meeting of the D.P.C. to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.</p>	Selection including for a appointment on transfer shall be made in consultation with the UPSC. Consultation with UPSC also necessary while amending/relaxing any of the provisions of these rules.

Notification

1/11/74-PER Vol. IV

In exercise of the powers conferred by the proviso to article 309 of the constitution, read with the Government of India, Ministry of External Affairs Notification No. F.7(11)/62-Goa dated 25-7-1963, the Lieutenant Governor of Goa, Daman and Diu is pleased to make the following amendment to the recruitment rules notified for the posts of (i) Daily Wage Workers in temporary Hospitalization Wards (ii) Nursing Orderlies (iii) Ward Attendants (iv) Cleaners and Helpers (v) Dressers and (vi) Sanitary Workers (Sweepers) in the Directorate of Health Services under the Government of Goa, Daman and Diu.

Power to relax: — Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provisions of the recruitment rules notified for the above categories of posts in the Directorate of Health Services for appointment of leprosy cured patients.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 15th March, 1982.

Legislative Assembly of Goa, Daman and Diu

Legislature Department

LA/B/7/525/82

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 23rd March, 1982 is hereby published for general information in pursuance of the provisions of Rule-136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu Marine Fishing Regulation
(First Amendment) Bill, 1982

(Bill No. 9 of 1982)

A
BILL

to amend the provisions of the Goa, Daman and Diu Marine Fishing Regulation Act, 1980.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-third Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Goa, Daman and Diu Marine Fishing Regulation (First Amendment) Act, 1982.

(2) It shall come into force at once.

2. *Amendment of section 10.* — In section 10 of the Goa, Daman and Diu Marine Fishing Regulation Act, 1980 (3 of 1981), —

(i) in the marginal heading to the section, the words “manufacture, sale or” shall be omitted;

(ii) the words “manufacture or” shall be omitted.

Statement of Objects and Reasons

The provisions contained in section 10 of the Goa, Daman and Diu Marine Fishing Regulation Act, 1980, internalia, prohibits any person from manufacturing any net and which is in contravention of the order regulating or restricting the size of mesh of a fishing net or without obtaining any licence for using a fishing net under sections 7 and 8 of the Act.

The provisions regarding the prohibition of the manufacture of the fishing net is violative of Article 19(1)(g) of the Constitution and hence it is proposed to delete the provision regarding the prohibition of the manufacture of fishing net.

Financial Memorandum

No financial implications are involved in the Bill.

DR. WILFRED D'SOUZA

Minister for Fisheries

Panaji,

15th March, 1982.

M. M. NAIK

Secretary to the Legislative
Assembly of Goa, Daman and Diu

Assembly Hall,

Panaji,

16th March, 1982.

(Annexure to Bill No. 9 of 1982)

The Goa, Daman and Diu Marine Fishing Regulation
(First Amendment) Bill, 1982

The Goa, Daman and Diu Marine Fishing Regulation Act, 1980
(Act No. 3 of 1981)

10. *Control on manufacture, sale or use of fishing nets.* — No person shall after the commencement of this Act manufacture or use for fishing any net in contravention of any order passed under section 7 or without obtaining any licence as required under section 8.

Assembly Hall,

Panaji,

16th March, 1982.

M. M. NAIK

Secretary to the Legislative Assembly
of Goa, Daman and Diu

LA/B/7/526/82

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on 23rd March, 1982 is hereby published for general information in pursuance of the provisions of Rule-136 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Registration (Goa, Daman and Diu Amendment) Bill, 1982
(Bill No. 10 of 1982)

A
BILL

to amend the Registration Act, 1908.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-third Year of the Republic of India as follows, namely: —

1. *Short title and commencement.* — (1) This Act may be called the Registration (Goa, Daman and Diu Amendment) Act, 1982.

(2) It shall come into force at once.

2. *Insertion of new section 78 A.* — After section 78 of the Registration Act, Central Act 1908, the following section shall be inserted, namely: —

“78 A. *Power to reduce or remit fees.* — If the Government of Goa, Daman and Diu is satisfied that it is necessary in the public interest so to do, it may, by notification in the Official Gazette, reduce or remit, whether prospectively or retrospectively, in the whole or any part of the territory, any fee or fees payable in respect of any of the matters enumerated in clauses (a) to (i) of section 78, either generally or for any particular class or classes of cases and in respect of persons generally or any particular class or classes of persons.”

Statement of Objects and Reasons

One of the recommendations made in the fifth meeting of the Regional Consultative Committee for the Nationalised Banks, Western Area, held at Pune on the 13th June, 1979 is as follows: —

“The State Governments would examine the possibility of liberalising both the stamp duty and registration fees in respect of agriculture and other small advances and provide facilities for creation of equitable mortgages at all block/tehsil headquarters”.

Section 17(1) (b) of the Indian Registration Act, 1908, *inter-alia*, makes the registration of mortgage deeds, which are in the nature of simple mortgages, compulsory. Section 78 of the said Act provides, *inter-alia*, that the State Government shall prepare the table of fees payable for the registration of documents and other incidental matters relating thereto. It does not empower the Government to reduce or remit the fees.

Hence, this Bill seeks to give effect to the aforesaid recommendation by inserting a new section 78 A in the principal Act.

Financial Memorandum

The Registration (Goa, Daman and Diu Amendment) Bill, 1982 seeks to insert a new section 78A in the principal Act which empowers the Government of the Union territory to reduce or remit, prospectively or retrospectively, in the whole or any part of the territories under its administration, the fee chargeable in respect of any instrument or class of instruments, or in respect of any class of instruments when executed by or in favour of the Government or any person or class of persons.

The loss of income to this Administration on account of such reduction or remission will depend upon the actual instances in which such reduction or remission is given from time to time.

Panaji,
19th March, 1982.

SHAIKH HASSAN HAROON
Minister for Law

Assembly Hall,
Panaji,
19th March, 1982.

M. M. NAIK
Secretary to the Legislative
Assembly of Goa, Daman and Diu

Government Press

Notice

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